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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/782,373 | 02/18/2004 | Jesse L. Beauchamp | 1950-0024 |

23980
REED & EBERLE LLP
800 MENLO AVENUE, SUITE 210
MENLO PARK, CA 94025

CONFIRMATION NO. 3556

FORMALITIES LETTER



Date Mailed: 05/19/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

08/24/2004 EFL0KES 00000060 10782373

| | |
|------------|-----------|
| 01 FC:2001 | 385.00 OP |
| 02 FC:2051 | 65.00 OP |
| 03 FC:2202 | 117.00 OP |

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$117 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.


SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$567 for a Small Entity

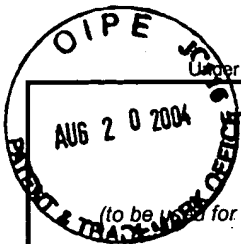
- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$117
 - \$117 for 13 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



| | | | |
|---|----------------------|------------------------|-----------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/782,373 | |
| | Filing Date | February 18, 2004 | |
| | First Named Inventor | Jesse L. Beauchamp | |
| | Art Unit | 1621 | |
| | Examiner Name | Unassigned | |
| • Mail Stop | Missing Parts | Attorney Docket Number | 1950-0024 |

ENCLOSURES (Check all that apply)

- ☐ No fee due
☐ Fee Transmittal
- ☒ **Fee(s) due**
☒ **Fee Transmittal**
☒ **Check for \$622.00**
- ☒ **Charge any underpayment or credit any overpayment to Deposit Account No. 18-0580**
- ☒ **Return postcard**
- ☐ Amendment/Reply
☐ After Final
☐ Affidavits/declaration(s)
- ☐ Express Abandonment Request
- ☒ **Information Disclosure Statement & Form(s) PTO-1449**
☒ **Copies of cited references (AA-AW)**
- ☐ Certified Copy of Priority Document(s)
- ☒ **Response to Missing Parts / Incomplete Application**
☒ **Response to Missing Parts under 37 CFR 1.52 or 1.53**
☒ **Extension of Time Request (one month)**

- ☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation, Change of Correspondence Address
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s):

- ☐ After Allowance Communication to a Technology Center (TC)
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☒ **Other Enclosure(s) (please identify below):**

Return copy of the Notice to File Missing Parts; a Combined Declaration and Power of Attorney signed; a Blanket Petition for Extension of Time; Amendment in Response to Notice under 37 C.F.R. § 1.821-1.825; Statement to Support Filing and Submission in Accordance with 37 C.F.R. § 1.821-1.825; Sequence Listing, (CRF and paper copy).

Remarks:

The Commissioner is hereby authorized to charge any additional or underpayment of fee(s) to Deposit Account No. 18-0580.

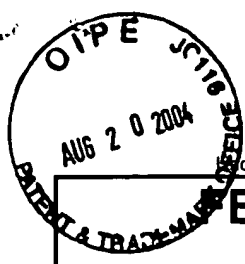
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------------------------------|---|-----------|----------------|
| Firm or Individual Name (print/type) | Shelley P. Eberle, Reg. No. 31,411 Reed & Eberle LLP | Telephone | (650) 330-0900 |
| Signature | <i>Shelley Eberle</i> | Date | Aug. 18, 2004 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|-------------------|------------------|------|-------------|
| Name (print/type) | Joe Clark | Date | 18 Aug 2004 |
| Signature | <i>Joe Clark</i> | | |

**FREE TRANSMITTAL**
for FY 2004

Effective 10/01/03. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** \$622.00**Complete if Known**

| | |
|----------------------|--------------------|
| Application Number | 10/782,373 |
| Filing Date | February 18, 2004 |
| First Named Inventor | Jesse L. Beauchamp |
| Examiner Name | Unassigned |
| Group Art Unit | 1621 |
| Attorney Docket No. | 1950-0024 |

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account No. 18-0580

Deposit Account Name Reed & Eberle LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Charge any underpayment or credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | \$385.00 |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) \$385.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims | | Extra Claims | | Fee from below | | Fee Paid |
|--------------------|--------------------|--------------|---|----------------|---|----------|
| Independent Claims | Multiple Dependent | | | | | |
| 33 | - 20** = | 13 | x | \$9 | = | \$117.00 |
| 2 | - 3** = | 0 | x | | = | |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claim in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$117.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | \$65.00 |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | \$55.00 |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$120.00

SUBMITTED BY**Complete (if applicable)**

| | | | | | |
|-------------------|-------------------|-----------------------------------|--------|-----------|-----------------|
| Name (Print/Type) | Shelley P. Eberle | Registration No. (Attorney/Agent) | 31,411 | Telephone | (650) 330-0900 |
| Signature | Shelley Eberle | | | Date | August 18, 2004 |